

☒ FILED ☐ LODGED
☐ RECEIVED ☐ COPY
OCT 31, 2003
CLERK US DISTRICT COURT
DISTRICT OF ARIZONA
BY /s/ J. Rosales DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

In the matter of)
ADOPTION OF AN EMERGENCY)
AMENDMENT TO LOCAL RULE 1.18) GENERAL ORDER 03-16
OF THE RULES OF PRACTICE OF THE)
UNITED STATES DISTRICT COURT)
FOR THE DISTRICT OF ARIZONA)
PURSUANT TO LOCAL RULE 1.18(c))

The District of Arizona's Rules of Practice Advisory Committee (Committee) appointed pursuant to Local Rule 1.18(a), has recommended that the timeline for the consideration, comment period, and final adoption of proposed local rule amendments be modified to improve efficiency, accommodate the Committee's work, and better facilitate needed feedback from the public and the judges. The Committee further recommended that the court adopt the proposed new timelines as an emergency amendment pursuant to Local Rule 1.18(c). The Court having considered the Committee's recommendation and for good cause shown,

IT IS HEREBY ORDERED that Local Rule 1.18 - AMENDMENT OF THE RULES OF PRACTICE, is amended to reflect the timelines as recommended by the Committee, and the emergency amendment is hereby adopted and attached hereto.

IT IS FURTHER ORDERED that the effective date of this emergency amendment is November 1, 2003.

IT IS FURTHER ORDERED that this amendment be circulated to the bar and public for comment and reevaluated by the Committee and the Court for possibility revision according to the deadlines set forth in sections (b)(3) and (b)(4) of Local Rule 1.18.

REVISED AND DATED this 31st day of October, 2003.

/s/ Stephen M. McNamee
Stephen M. McNamee
Chief United States District Judge

Rule 1.18
AMENDMENT OF THE RULES OF PRACTICE

(a) **Rules of Practice Advisory Committee.**

(1) Appointment. The Chief Judge shall appoint members of a Rules of Practice Advisory Committee (Committee) to serve such terms as the Chief Judge designates. The Chief Judge will appoint a District Judge as the Chair of the Committee (Chair).

(2) Responsibilities. The Committee shall make reports and recommendations to the Court regarding the following matters:

(i) The consistency of the Rules of Practice (Rules) with the United States Constitution, Acts of Congress, the Federal Rules and General Orders of the Court; and

(ii) Proposed amendments to the Rules.

(b) **Procedures.**

(1) Submission of Proposals. Any person or organization may propose an amendment to the Rules. Proposals should be submitted to the Clerk of Court, marked to the attention of the Committee. Guidelines for submission of proposals are available from the Clerk of Court and are posted on the District's Internet website. For a proposal to become effective on December 1 of a given year, it must be submitted to the Clerk of Court by August 31 of the preceding year.

(2) Initial Consideration of Proposals. The Chair will convene the first meeting of the Committee in September to consider proposals. The Committee will review proposals for rejection, deferral or recommendation to the Court for consideration. The Chair will assign drafting responsibility to a Committee member of those proposals that will be forwarded to the Court. The Committee will forward the final proposed amendments to the Court by February 28. The Court

will decide whether to approve the proposed amendments for circulation to the bar and the public by April 30.

(3) Comment by the Bar and the Public. Proposed amendments approved by the Court will be distributed to the State Bar of Arizona and the local chapters of the Federal Bar Association, published in a local legal publication, made available to the public at each courthouse in the District, and posted on the District's Internet website. Comments from the bar and the public shall be submitted by June 30 to the Clerk of Court, marked to the attention of the Committee. The Committee will forward the comments, an evaluation of the comments and the final proposed amendments to the Court by August 15.

(4) Final Adoption. The Court will adopt, modify or reject the final proposed amendments by September 30. An amendment is effective as to all cases filed on or after December 1 of the year in which the amendment was adopted and may apply to pending cases to the extent it is practical and fair.

(5) Alteration of Timing and Procedure. For cause, the Court may alter the timing or procedures set forth in this Rule by General Order.

(c) **Emergency Amendments.** When the Court or the Committee determines there is an immediate need to implement an amendment, including a technical, clarifying or conforming amendment, the amendment may be adopted by the Court without prior comment by the bar or the public. The effective date of an emergency amendment is the date set forth by the Court in the General Order adopting the amendment. Amendments adopted under this subsection will thereafter be circulated to the bar and the public for comment and reevaluated by the Committee and the Court for possible revision according to the deadlines set forth in sections (b)(3) and (b)(4) of this Rule.